

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
SAMUEL WILLIAMS, JR.,

Plaintiff,

- against -

UNITED STATES OF AMERICA,

Defendant.

-----x  
06 Civ. 1629 (DFE)

This is an ECF case

MEMORANDUM AND ORDER

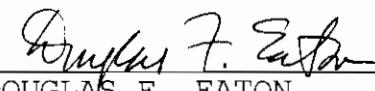
DOUGLAS F. EATON, United States Magistrate Judge.

In response to my Memorandum and Order dated June 27, 2008, Mr. Lessoff's July 11 letter requests "one last adjournment."

I hereby give plaintiff until **August 1, 2008 (no later than 12:00 noon)** to attempt to procure a third affidavit from Dr. Mian, and to serve and file it (by fax) along with any supplemental letter opposing summary judgment. If plaintiff does submit a third affidavit from Dr. Mian, then

(a) a telephone conference must be held by August 4, 2008 at **4:00 p.m.** among Mr. Lessor, Mr. Filor, Dr. Mian and Dr. Mian's attorney to discuss whether a deposition of Dr. Mian is necessary and, if so, what would be a reasonable payment to Dr. Mian for his time at a deposition; and

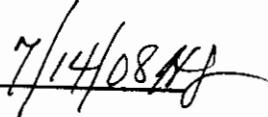
(b) those four persons must place a conference telephone call to me on August 4, 2008 at **4:30 p.m.**

  
DOUGLAS F. EATON  
United States Magistrate Judge

Dated: New York, New York  
July 11, 2008

Copies of this Memorandum and Order are being sent by fax and by electronic filing to:

Jeffrey L. Lessoff, Esq. at 212-226-4005fax  
Daniel P. Filor, Esq. at 212-637-2717fax

  
7/14/08 AJ